

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN THE MATTER OF THE COMPLAINT
OF ETERNITY SHIPPING, LTD. AND
EUROCARRIERS, S.A., FOR EXONERATION
FROM OR LIMITATION OF LIABILITY

CIVIL ACTION
NO. L01CV0250

* * * * *

TATE & LYLE NORTH AMERICAN
SUGARS, INC.,

Claimant and Third-Party Plaintiff

v.

AMERICAN BUREAU OF SHIPPING

Third-Party Defendant

* * * * *

**THIRD-PARTY DEFENDANT'S
REQUEST FOR
PRODUCTION OF DOCUMENTS
TO LIMITATION PLAINTIFFS**

Third-Party Defendant American Bureau of Shipping ("ABS") by and through its attorneys Hill Rivkins & Hayden LLP hereby demands pursuant to Rule 34 of the Federal Rules of Civil Procedure that Limitation Plaintiffs produce the following documents within thirty days of this request:

INSTRUCTIONS

1. Any information withheld pursuant to a claim of privilege must be disclosed pursuant to Fed.R. Civ.P.26(b)(5). If any requested documents is withheld from production for any reason, furnish a list specifying, for each document: (i) the reason for which it is being withheld; (ii) its character (letter, memorandum, etc.); (iii) the name, position, and business affiliation of its author or authors; (iv) the name, position and business affiliation of each

recipient of the letter or a copy thereof; (v) the date on which it was written; (vi) its general subject matter; (vii) the paragraph of this request to which it is responsive; and (viii) its present custodian.

2. This request shall be deemed continuing. All responses to this request must be supplemented from time to time as you become aware of additional responsive documents, or as additional responsive documents come into your possession, custody or control.

DEFINITIONS

1. “ESA” shall mean limitation plaintiff, Eurocarriers, S.A., and any of its past and present affiliates, operating divisions, parent corporations, subsidiaries, directors, officers, agents, employees, representatives and all other persons acting or purporting to act with, for or on its behalf, including but not limited to consultants, advisors, attorneys or any person acting in any advisory or consulting capacity.

2. “ESL” shall mean limitation plaintiff Eternity Shipping Ltd., and any of its past and present affiliates, operating divisions, parent corporations, subsidiaries, directors, officers, agents, employees, representatives and all other persons acting or purporting to act with, for or on its behalf, including but not limited to consultants, advisors, attorneys or any person acting in an advisory or consulting capacity.

3. “ABS” shall mean third-party defendant, American Bureau of Shipping, any of their past and present affiliates, operating divisions, parent corporations, subsidiaries, directors,

officers, agents, employees, representatives and all other persons acting or purporting to act with, for or on its behalf.

4. “Subject incident” means the crane incident which took place onboard the M/V Leon I at the Domino facility in Baltimore, Maryland on or about July 31, 2000 which is the subject of this lawsuit.

5. “Document” shall mean all written or graphic matter or any other means of preserving thought or expression of every type and description, including but not limited to originals, drafts, computer-sorted and computer-retrievable information, copies or duplicates that are marked with any notation or annotation, copies or duplicates that differ in any way from the original, correspondence, memoranda, reports, notes, e-mails, minutes, contracts, agreements, books, records, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendar notes, computer printouts, computer disks and programs, price quotations, sales records, card files, price lists, press clippings, sworn or unsworn statements of employees, requisitions, purchasing manuals or guidelines, lists, audit workpapers, financial analysis, tables of organizations, advertisements or other promotional material, audited and unaudited financial statements, receipts, bank statements, newspapers or newsletters, diagrams, photographs, and other writings or recordings. A draft on non-identical copy is a separate document within the meaning of this term. “Document” also includes any removable “Post-it” notes or other attachments affixed to any of the foregoing.

REQUESTS

1. Any and all maintenance records for all cranes aboard the M/V LEON I from the time they were installed on the vessel until the date of the subject incident.
2. Any and all documents that refer or relate to operational problems, malfunctions, or difficulties associated with any the cranes aboard the M/V LEON I from the time they were installed on the vessel until the date of the subject incident.
3. Any and all documents exchanged between the ESA/ESL and the master and/or crew of the M/V LEON I, regarding crane no. 4 from the date of installation until the date of the subject incident.
4. Any and all documents exchanged between ESA and/or ESL and any other party regarding crane no. 4.
5. A copy of any document maintained by the ship's electrician related the crane no. 4 from the date of installation until the date of the subject incident, including but not limited to the Electricians' Notebook for that period.
6. A copy of the M/V Leon I's Loose Gear Book and certificates for the period from December 1999 until the date of the subject incident.
7. Any and all documents exchanged between ESA/ESL and ICGB regarding the cranes onboard the M/V Leon I for the period of August 1, 2000 up to and including the present.

8. Any and all documents which refer to or relate to ICGB as it concerns the cranes onboard the M/V Leon I.
9. All documents which refer or relate to sheave diagrams and the reeving diagram as it pertains to crane no. 4 onboard the M/V Leon I.
10. Any and all documents related to any wire rope maintenance program which was in place onboard the M/V Leon I from the date of installation until the date of the subject incident.
11. Any and all documents which refer or relate to any pre-use inspections and/or daily inspections of crane no. 4 from the date of installation until the date of the subject incident.
12. Any and all documents which refer or relate to any visual inspections of all wire ropes for crane no. 4 from the date of installation until the date of the subject incident.
13. Any and all documents that refer or relate to lubrication procedures for all wire ropes on crane no. 4 from the date of installation until the date of the subject incident.
14. Any and all documents that identify the type of cargo which was loaded onboard the M/V Leon I at Pulupandan in January 2000.
15. Any and all documents that refer or relate to the use of crane no. 4 during loading operations at Pulupandan in January 2000.

16. Any and all documents that identify the type of cargo which was loaded onboard the M/V Leon I at Rizhao in January 2000.
17. Any and all documents that refer or relate to the use of crane no. 4 during loading operations at Pulupandan in January 2000.
18. ABS requests inspection of the luffing wire and jib angle indicator used on crane no. 4 at the time of the subject incident.
19. Any and all copies of the Vessel's General Condition and Maintenance Reports for the time period from the date of installation to August 2000.
20. Any and all messages exchanged between ESA and/or ESL and the vessel relating the crane no. 4 from the date of installation to the date of the subject incident.
21. Any and all ISO Procedures or other written procedures pertaining to the safe use and operation of the vessel's cranes and maintenance for same.
22. Any and all documents pertaining to audits, internal or otherwise, of the procedures identified in response 21.
23. Any and all documents which refer or relate to the work specifications provided by or on behalf of ESA and/or ESL for the work to be performed by the Da Dong shipyard in or about December 1999.

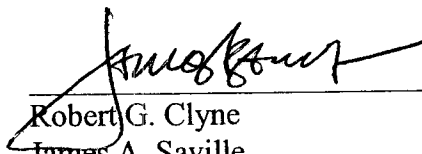
24. Any and all documents exchanged between and among the Da Dong Shipyard, ESA, ESL and/or the owners representatives at said shipyard that refer or relate to the work performed or work to be performed at the shipyard in connection with the M/V Leon I.

25. Any and all documents created by or on behalf of owners' representatives at the Da Dong Shipyard related to the work performed or to be performed on the M/V Leon I from the time the vessel arrived at the yard until the time it departed.

26. Any and all documents related to the design and installation of the cranes on the M/V Leon I at the Da Dong shipyard, including but not limited to, the wire rope specifications for said cranes.

27. Any and all documents related to the operation, maintenance and safety of the vessel's cranes and wire ropes pertaining thereto, including, but not limited to, documents maintained in compliance with the International Safety Management Code.

Dated: New York, New York
April 25, 2003



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Attorneys for American Bureau of Shipping

TO: SEE ATTACHED LIST

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2003, a copy of **Third-Party Defendant's Request for Production of Documents to Limitation Plaintiffs and Third-Party Defendant's First Set of Interrogatories to Limitation Plaintiffs** were sent via Telecopier and mailed, postage prepaid, to:

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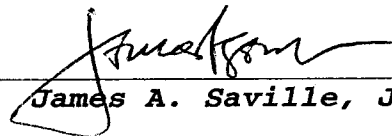
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